

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI**

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|-------------------------------|---|----------------------------|
| MICHELE KOCH and KENDAL KOCH, |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| vs. |) | Case No: 4:22-cv-00229-HFS |
| |) | |
| KAYLA TAYLOR, <i>et al.</i> |) | |
| |) | |
| Defendants. |) | |

PLAINTIFFS' FRCP RULE 60 MOTION FOR RELIEF

Pro Se Plaintiffs, Michele Koch and Kendal Koch, pursuant to FRCP 60(a), hereby submit this Motion for correction of a clerical mistake or oversight in regards to the Order entered on April 10, 2023 (ECF Doc. 84); and pursuant to FRCP 60(b)(3), hereby submit this motion for relief from the Order entered on December 28, 2022 (ECF Doc. 53), the Order entered on March 22, 2023 (ECF Doc. 81), and the Order entered on April 10, 2023 (ECF Doc. 84) on the grounds of fraud, misrepresentation, and other misconduct by Defense Counsel that prevented Plaintiffs from fairly presenting their case. Plaintiffs contemporaneously submit their Suggestions in Support of this motion. As explained in greater detail in those suggestions:

1. The Order entered on April 10, 2023 (ECF Doc. 84) mistakenly attributes a material statement made by Defense Counsel, Jessica Bernard, to Plaintiff Michele Koch.
2. Evidence obtained after the Order was entered on April 10, 2023, shows by clear and convincing evidence that Defense Counsel and/or their employer, Guin Mundorf LLC, are the party responsible for fabricating the evidence presented during this action titled "Summary of

[R.K.'s] medical/educational history for 2020-2021" that is referenced numerous times in Plaintiffs' Complaint and is material to the claims.

3. Financial records obtained after the Order was entered on April 10, 2023, show by clear and convincing evidence that the Defendants and their Counsel conspired against Plaintiffs rights.

4. Financial records obtained after the Order was entered on April 10, 2023, show by clear and convincing evidence that attorneys with Guin Mundorf LLC (Defense Counsel's employer) are in violation of the Rules of Professional Conduct 4-3.3, 4-3.4, 4-3.7, 4-4.1, and 4-4.4 as previously reported by Plaintiffs in a Motion to Disqualify Defense Counsel (ECF Doc. 54) and are equally responsible for the damages alleged in this lawsuit.

WHEREFORE, Plaintiffs respectfully request a ruling in their favor and for the following relief from the Court:

1. Correction of the clerical mistake that identifies a statement made by Defense Counsel Jessica Bernard as Plaintiff Michele Koch's testimony;
2. Correction of the clerical mistake that infers Plaintiff made any testimony about her father;
3. re-open Plaintiffs' case;
4. vacate the Court's Orders at ECF 53, ECF 84, and ECF 81;
5. deny Defendants Motion for an Extension of Time (ECF Doc. 47);
6. grant Plaintiffs' Motion to Disqualify Defense Counsel (ECF 54);
7. grant default judgment in Plaintiffs' favor for Summary Judgment (ECF 36);

8. refer Defense Counsel Jessica Bernard and Anthony McDaniel to the Office of Chief Disciplinary Counsel;
9. Grant Plaintiffs a restraining order against Guin Mundorf LLC attorneys preventing them from creating any records for Plaintiffs' children and preventing them from attending Plaintiffs' school meetings whether in person, remotely, or by eavesdropping.
10. any and all other relief the Court deems just and proper.

Respectfully submitted by,

/s/ Michele Koch

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/s/ Kendal Koch

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PRO SE PLAINTIFFS

CERTIFICATE OF SERVICE

Plaintiffs, Michele Koch and Kendal Koch, Pro Se, hereby certify that on this 10th day of June 2023, that they have served their NOTICE OF RULE 60 MOTION FOR RELIEF via electronic mail upon:

Jessica M. Bernard MO #58980
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ATTORNEYS FOR DEFENDANTS

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